



Delta Stewardship Council Workgroup Announcement: Governance and Implementation Workgroup

The Delta Stewardship Council invites the public to participate in the first of a series of workgroup meetings on the topic of **Governance and Implementation** in support of the development of the Interim Plan and the Delta Plan.

Date/Time: Tuesday, August 3, 2010 1:00 p.m. to 4:00 p.m.

Location: Delta Stewardship Council 650 Capitol Mall, 5th Floor, Delta Room, Sacramento, CA 95814
(Attendees must pass through federal security. Please be prepared to show photo ID. Cameras, including cell phones or laptop computers with cameras, are not allowed in the building.)

Call-In: (916) 574-1398

Charge: The Governance and Implementation Workgroup will generate input for the Interim Plan and Delta Plan that will support state policy and Delta Plan objectives. At this session workgroup participants will be asked to respond to and discuss the following questions:

1. *What can the Council do to assist other agencies – state, local and federal — to implement SBX 7 1? Are there early actions the Council should consider to promote implementation?*
2. *What implementation issues are likely to arise, and how can these be addressed as agencies respond to SBX 7 1 and the Council undertakes its responsibilities? Examples of implementation issues already raised include, but are not limited to, the following:*
 - a. *Suisun Marsh, where there is a geographic overlap with BCDC*
 - b. *County land use plans*
 - c. *Habitat Conservation Plans*
 - d. *Levees, in light of the FloodSafe program administered by DWR and the CVFPP process and timeline*
 - e. *As a responsible agency for the BDCP EIR. One possible implementation issue may be the future availability of lands for mitigation in the Delta?*
3. *What steps should the Council take to best identify relevant plans and to address their relationship(s) to the responsibilities of the Council?*

Written responses to any of these questions identified in the charge for the August 3 meeting of the Governance Workgroup are welcome and will be incorporated into planning for the August 26-27 Council meeting as follows:

- Written responses will be accepted by Council Staff at the Workgroup meeting on August 3

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

– State Water Code §85054

- Written responses received by Council Staff not later than August 16 at 8 a.m. will be provided to Council members as part of their briefing materials for the August Council meeting
- Written responses received after August 16 will be provided to Council members at the August Council meeting

Written responses may be submitted via email to the following address: interimplan@deltacouncil.ca.gov. All written responses will be posted in electronic format on the Council web page.

Background:

Water Code Section 85001 states in part the Legislature’s intent to “establish a governance structure that will direct efforts across state agencies to develop a legally enforceable Delta Plan.”

Water Code Section 85020(h) identifies the following objective that is inherent in the coequal goals that must be achieved through a Delta Plan: “(h) Establish a new governance structure with the authority, responsibility, accountability, scientific support, and adequate and secure funding to achieve [other] objectives.”

The Second Draft Interim Plan, dated July 14, 2010, provides this context:

Senate Bill X 7 1 provides important new tools to address the widely accepted inadequacies of prior governance of the Delta. The reforms launched in the Act are substantial and offer promise of more effective action. They are initiated at time when many agree action is needed, but important stakeholders disagree on the meaning of the enacted legislation. Concurrently, the state’s fiscal future looks bleak for many years, which means that financing aspects of the legislation will be uncertain. Lack of a stable financing structure may lead to difficulty in achieving the coequal goals. [Page 7]

Successful implementation of new legislation as substantial as SBX 7 1 requires not only launching new entities and activities but also adjusting the roles and activities of existing agencies operating under different authorities, with separate legislative mandates, funding streams, and constituencies. All affected state and local agencies have responsibility now to undertake activities in conformity with the Act.

In addition to providing a framework for the Council’s actions, this Interim Plan informs the actions of agencies as they incorporate provisions of SBX7 1 into their activities until the Delta Plan is adopted. Council work on “early actions” will appropriately continue under the framework of the Interim Plan and on the schedule established in the Council’s work plan. The Council intends to give highest priority to issues that require action regardless of whether, or on what schedule, action occurs on major ecosystem restoration or improvements in conveyance, or decisions are made on new bonds. [Page 12][emphasis in original]

Senate Bill X 7 1 requires (a) development of plans (e.g., a Delta Plan, an economic sustainability plan for the Delta by the DPC), and (b) consistency of state actions with the Delta Plan (e.g., Water Code sections 85001(c), 85204, 85302(h)). It also invites the Council to consider incorporating specific plans (e.g., Bay Delta Conservation Plan) or “any” plan into the Delta Plan that promotes the coequal goals (Water Code section 85350).

Materials: The following materials provide important background:

- Delta Stewardship Council. *Second Draft Interim Plan*.

- Delta Protection Commission. *Land Use and Resource Management Plan for the Primary Zone of the Delta*. 2010
<http://www.delta.ca.gov/Land%20Use%20and%20Resource%20Management%20Plan%20for%20the%20Pri%20m.htm>
- April Manatt. *Context Memorandum: Historic and Current Governance in the Delta Region: Water Quality, Environment and Species Protection and Land Use Controls*.
http://www.deltavision.ca.gov/Context_Memos/DeltaGovernance/DeltaGovernance_Iteration1.pdf
- Elizabeth Patterson. *Context Memorandum: Land Use in the Delta-Suisun Region*
http://www.deltavision.ca.gov/Context_Memos/Land_Use/Land-Use-Iteration2.pdf

The workgroup will be supported by a professional facilitator, relevant technical staff, and a representative of the Council Staff. For more information, please visit <http://www.deltacouncil.ca.gov>